

1UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

DOCKET NO. 3:11cr357-FDW

UNITED STATES OF AMERICA, )  
                                )  
                                )  
Plaintiff,                 )  
                                )  
v.                            )  
                                )  
DAVID WAYNE SULLIVAN, )  
                                )  
                                )  
Defendant.                 )  
                                )

**FINAL ORDER AND JUDGMENT  
CONFIRMING FORFEITURE**

On May 17, 2012, this Court entered a Preliminary Order of Forfeiture pursuant to 21 U.S.C. § 853 and Fed. R. Crim. P. 32(d)(2), based upon the Defendant's plea of guilty to Counts Six and Nine in the Bill of Indictment and evidence already on record; and was adjudged guilty of the offenses charged in those counts.

On May 18, 2012 through June 16, 2012, the United States published via [www.forfeiture.gov](http://www.forfeiture.gov), notice of this forfeiture and of the intent of the government to dispose of the forfeited property according to law, and further notifying all third parties of their right to petition the Court within sixty days from May 18, 2012 for a hearing to adjudicate the validity of any alleged legal interest in the property. It appears from the record that no such petitions have been filed. Based on the record in this case, including the defendant's plea of guilty, the Court finds, in accordance with Rule 32.2(c)(2), that the Defendant had an interest in the property that is forfeitable under the applicable statute.

It is therefore ORDERED:

In accordance with Rule 32.2(c)(2), the Preliminary Order of Forfeiture is confirmed as final. All right, title, and interest in the following property, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law:

**One Smith & Wesson 6909, 9mm pistol, serial number VYK0356 and ammunition;  
and**

**Approximately \$513.00 in United States currency seized from the defendant on May  
4, 2011.**

Signed: July 20, 2012



Frank D. Whitney  
United States District Judge

